IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 959 OF 2005

Lawoo Ramchandra Mohite] .. Petitioner

Versus

1. State of Maharashtra & 3 ors.] .. Respondents

Mr. R.M. Joshi for the petitioner.

Mr. Pradeep Jadhav, AGP, for the respondent No.1.

CORAM: R.M. LODHA, &
SMT. NISHITA MHATRE, JJ.

DATED: 08TH JANUARY, 2007

P.C. :

. We heard the counsel for the petitioner and perused the available material.

2. There is nothing on record to indicate that the occupation certificate has been obtained by the developer from the Municipal Corporation of Greater Mumbai with regard to "C" Wing. In absence thereof, there is no occasion or justification for registration of the society of the flat purchasers in the "C" Wing.

3. In the circumstances, the Court’s intervention presently is not required. As and when the occupation

certificate is obtained with regard to "C" Wing, the flat purchasers of the said Wing shall be at liberty to apply afresh to the Slum Rehabilitation Authority for registration of the society and in that event, the Slum Rehabilitation Authority shall reconsider the application for registration in accordance with law uninfluenced by the impugned communication dated 12th January, 2004.

4. Writ Petition is dismissed accordingly.

Sd/-
[R.M. LODHA, J.]

Sd/-
[SMT. NISHITA MHATRE, J.]